

REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-35 were pending and rejected. A portion of the specification was objected. In this response, no claim has been canceled. Claims 1, 10, 14-15, 18-19, 22, and 27 have been amended. No new matter has been added.

The Examiner requested that Applicant adds a "Summary of the Invention" description to the application (see 1/5/2005 Office Action, pages 2-3). However, Applicant would like to kindly point out that both the M.P.E.P. and 37 C.F.R. §1.73 do not require the presence of a "Summary of the Invention" in a patent application. They merely indicate where in the application the "Summary of the Invention" should be placed if Applicant were to elect to include one. In particular, 37 C.F.R. §1.73 only states that "[a] brief summary of the invention ... should precede the detailed description." 37 CFR §1.73 does not state "must" or "shall." Accordingly, Applicant has elected not to include a "Summary of the Invention" as this is within the discretion of Applicant.

Claims 1-5, 8, 10-18, 22-24, 27-30, and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,510,406 of Marchisio ("Marchisio") in view of U.S. Patent No. 6,163,778 of Fogg et al. ("Fogg"). In view of the foregoing amendments, it is respectfully submitted that claims 1-35 include limitations that are not disclosed by Marchisio and Fogg individually or in combination. Specifically, independent claim 1 recites as follows:

1. A method comprising:  
receiving a search term for a query;  
searching a network of concept terms for terms related to the search term;  
reformulating the query using the search term and the related terms before  
performing a search for documents based on the search term;  
searching a local database for data terms that match the search term and the  
related terms based on a predetermined relationship, wherein the data

terms are generated from documents residing on websites located on servers connected to, wherein the predetermined relationship includes a weight factor based on a ratio of an occurrence frequency of both the search term and the related terms over an occurrence frequency of the search term within the documents; and  
in response to matching data terms with the search terms and related terms corresponding to the data terms, retrieving the documents from the respective websites.

(Emphasis added)

Independent claim 1 includes limitations of searching a network of concept terms for terms related to a search term, reformatting a query using the search term and the related terms found in the network of concept terms, and searching a local database for data terms that march the search term and the related terms. The data terms are generated from documents found around the Web sites across a network based on a predetermined relationship of the search term and the related terms using a weight factor calculated based on a ratio of an occurrence frequency of both the search term and the related terms over an occurrence frequency of the search term within the documents. It is respectfully submitted that the above limitations are absent from Marchisio and Fogg.

Although Marchisio is related to a concept-based searching, Marchisio still fails to disclose the limitation that data terms are generated from documents found around the Web sites across a network based on a predetermined relationship of the search term and the related terms using a weight factor calculated based on a ratio of an occurrence frequency of both the search term and the related terms over an occurrence frequency of the search term within the documents. Fogg is related to a Web rating based on link viability. It is respectfully submitted that Fogg also fails to disclose the limitations set forth above.

In order to render a claim obvious, each and every limitations of the claim must be taught by the cited references, individually or in combination. It is respectfully submitted that

at least one of the limitations recited in claim 1 is not disclosed by Marchisio and Fogg individually or in combination.

There is no suggestion within Marchisio and Fogg to combine with each other. Even if they were combined, such a combination still lacks the limitations set forth above. Therefore, for the reasons discussed above, it is respectfully submitted that independent claim 1 is patentable over Marchisio and Fogg.

Similarly, independent claims 10, 15, 19, 22, and 27 include limitations similar to those recited in claim 1. Thus, for the reasons similar to those discussed above, it is respectfully submitted that claims 10, 15, 19, 22, and 27 are patentable over Marchisio and Fogg. Given that the rest of the claims depend from one of the above independent claims, it is respectfully submitted that at least for the reasons set forth above, the rest of the claims are patentable over the cited references.

Claims 6-7, 9, 19-21, 25-26, and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marchisio in view of Fogg and U.S. Patent No. 5,933,822 of Braden-Harder et al. (“Braden”).

Although Braden is related to an information retrieval system using natural language processing, Braden still fails to disclose the above limitations of searching a network of concept terms for terms related to a search term, reformatting a query using the search term and the related terms found in the network of concept terms, and searching a local database for data terms that match the search term and the related terms. The data terms are generated from documents found around the Web sites across a network based on a predetermined relationship of the search term and the related terms using a weight factor calculated based on a ratio of an occurrence frequency of both the search term and the related terms over an occurrence frequency of the search term within the documents. Given that claims 6-7, 9, 19-

21, 25-26, and 31-32 depend from one of the above limitations, at least for the reasons set forth above, it is respectfully submitted that claims 6-7, 9, 19-21, 25-26, and 31-32 are patentable over Marchisio in view of Fogg and Braden.

In addition, with respect to claims 14 and 18, the Examiner contended that section of col. 17, lines 33-46 of Marchisio discloses the limitations set forth in claims 14 and 18 (see 1/5/2005 Office Action, pages 6-7). Applicant respectfully disagrees. The cited section of Marchisio only discloses using an AND operator. Marchisio fails discloses a NEAR operator when it is satisfied, the search term and at least one related term occur within a predetermined number of words of a sentence. Therefore, in addition to those applied to their respective independent claims, claims 14 and 18 are independently patentable over the cited references.

Further, with respect to claims 34-35, the Examiner contended that section of col. 17, lines 8-21 of Marchisio discloses a formula recited in claims 34-35 (see 1/5/2005 Office Action, page 8). Applicant respectfully disagrees. The cited section of Marchisio is related to sorting the related terms based on a relevance level. However, the cited section of Marchisio still fails to disclose the limitations set forth in claims 34-35. Therefore, in addition to those applied to their respective independent claims, claims 34-35 are independently patentable over the cited references.

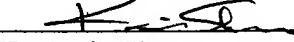
In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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